

EXHIBIT 6



NEWS **EXCLUSIVE**



NYC ICE office ‘fully booked’ for migrant appointments through late 2032: document

By **Steven Nelson**

March 13, 2023 | 8:37am | Updated



The backlog means that migrants may have to wait almost a decade just to enter the immigration court process.

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Give me your tired, your poor, your smuggled masses.

New York City’s Immigration and Customs Enforcement (ICE) office is “fully booked through October 2032” for appointments to process migrants released at the southern border, according to an official document exclusively reviewed by The Post — making the Big Apple the ideal destination for migrants with dubious asylum claims and causing a massive headache for those with valid ones.

The backlog means migrants may have to wait almost a decade just to enter the immigration court process — which is beset by further delays stretching out years, sources said.

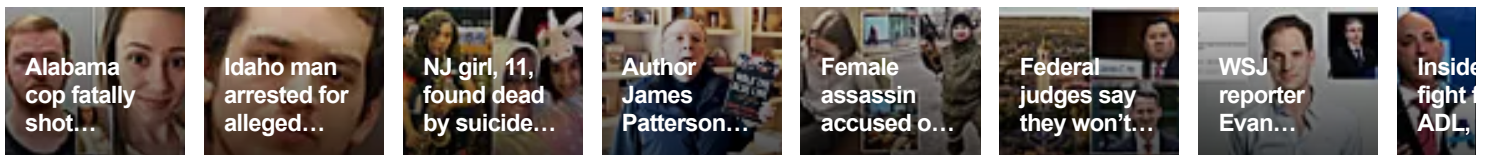
“If you want to stay here and fight your case for 12 years [and] if you do your research or the cartels do their research ... that’s actually pretty clever,” said Thomas Homan, the acting ICE director from January 2017 through June 2018.

The **Biden administration** released into the US 802,396 non-citizens who were apprehended after **illegally crossing** the southwest border in the 23-month period from late March 2021 through Feb. 13, according to a Feb. 18 document on ICE letterhead.

Historically, migrants who illegally crossed the southern border with asylum claims were issued a Notice to Appear (NTA) in immigration court.

But to cope with a **record-breaking wave** of new arrivals, the Biden administration in early 2021 added a new step and issued migrants a Notice to Report (NTR) to the ICE office near their final destination to get placed into court proceedings.

Authorities stopped issuing NTRs in late 2022 and imposed the Alternatives to Detention (ATD) “parole” program. Migrants generally are required to wear an ankle monitor, who generally submit to GPS tracking or reporting on a smartphone app.



After illegally crossing the border, 802,396 non-citizens were released after being apprehended.

Getty Images

The document reviewed by The Post lists the “Top 10 Parole/NTR Appointment Backlog Locations” and said that as of Feb. 13, there were 39,216 non-citizens with appointments at ICE’s New York City office — making it the most clogged jurisdiction in the country.

The second-most backlogged ICE office is in Jacksonville, Fla., which was “mostly booked” for appointments through June 2028 with 2,686 migrants in line.

Third-place Miramar, Fla., is “fully booked” through January 2028 with 24,747 migrants who have appointments.

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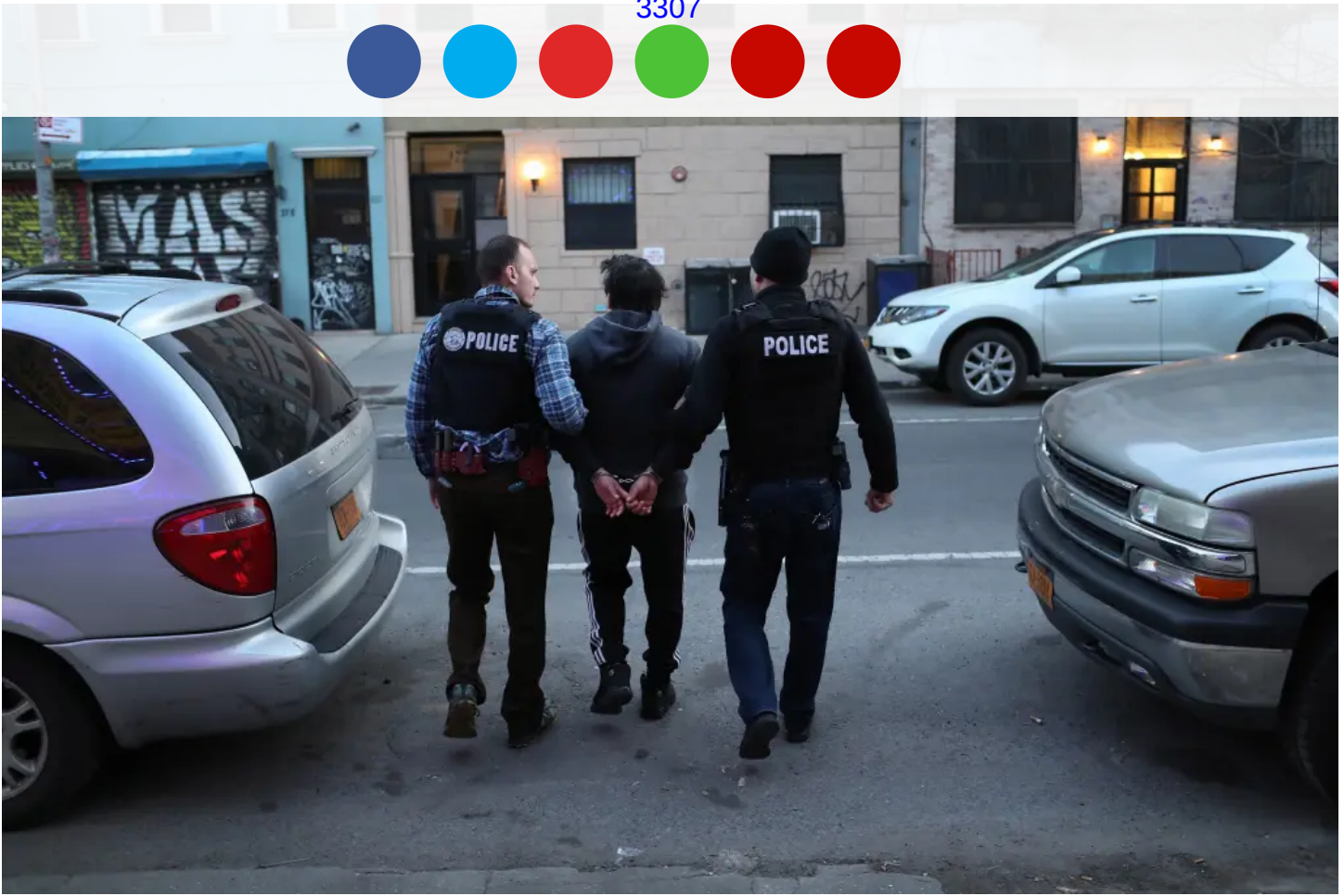
Rounding out the top 10 were offices in Atlanta (“mostly booked” through January 2027), San Antonio (“fully booked” through February 2027), Mount Laurel, NJ (“fully booked” through May 2026), Chicago (“mostly booked” through February 2026), Baltimore (“mostly booked through” January 2026), Milwaukee (“fully booked” through February 2026) and Indianapolis (“fully booked” through January 2026).

Victor Rodriguez, 23, who arrived in the US from Venezuela in late 2022, told The Post he has an appointment in 2025.

“Before coming, I knew it was going to be complicated, but not this complicated,” said Rodriguez, whose home country is roiled by political oppression and an economic tailspin under the authoritarian socialist leader Nicolas Maduro. “I didn’t know it would take this long.”

Rodriguez is staying at the New York Manhattan Hotel near the Empire State Building and said he even considered moving somewhere with a shorter wait before deciding “we’ve come all this way, we might as well wait it out.”

Jhony Amagua, 28, of Ecuador arrived in late January and told The Post he was issued an appointment date for 2031.



42.3% of released migrants have not checked in with an ICE field office.

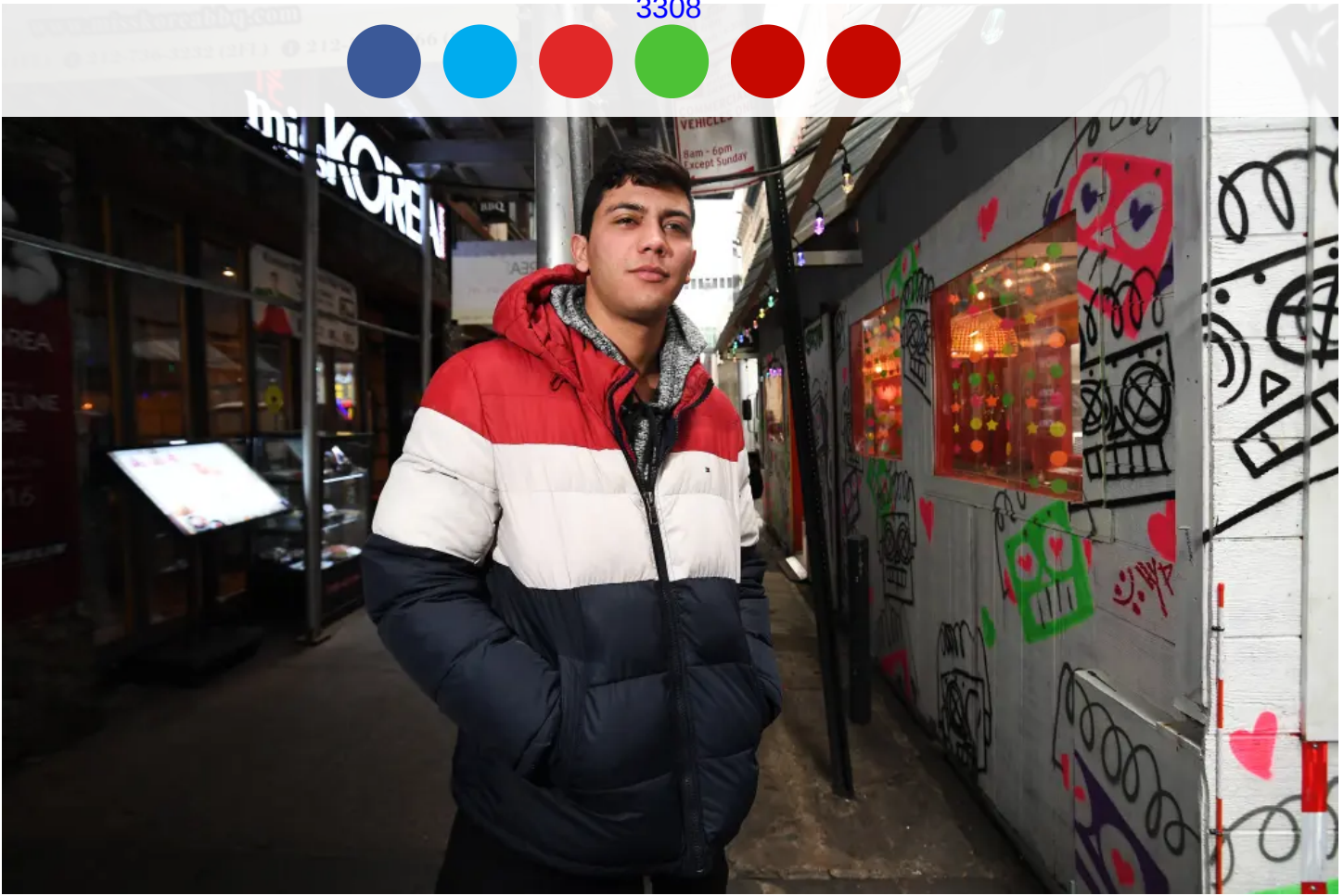
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Amagua, who is living with his wife and two young children at the same Midtown hotel as Rodriguez, said he's "completely lost and has no idea what to do" and that when he asked for an earlier date, he was told, "No, your appointment date is the one on the original paper."

ICE, given more than a week to comment by The Post, neither disputed the accuracy of the reported backlog figure nor contradicted sources' contention about what it meant.

Former Virginia-based immigration judge Matt O'Brien says he's seen migrants strategically "forum-shop" to get their case in a certain jurisdiction, based either on the anticipation of a speedy hearing or a desire for a wait that may stretch into the distant future.

"The problem is significantly worse with people trying to get in courts where everything is delayed so that they can get work authorization and basically hang out and wait for the next amnesty," said O'Brien, who was an immigration judge from 2020 through 2022 after working at U.S. Citizenship and Immigration Services.



Victor Rodriguez arrived in the US from Venezuela in late 2022 and doesn't have an appointment date until 2025.

Matthew McDermott

"I think what [the Biden administration is] doing is they're trying to flood the country with people who are not going to be able to get in front of a court," O'Brien said. "I think they're going to try and force legislative amnesty, making the same claim that they always do, which is, 'We don't have the resources or the political will to deport this many people.'"

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Far-left Dems outraged Biden may bring back migrant family detentions

"The major problem with all of this is that 99% of these people don't have a valid asylum claim," added O'Brien. "[The asylum process] is designed to protect people from persecution, primarily at the hands of a government or in certain limited circumstances at the hands of parties that government is unable or unwilling to control."

Andrew Arthur, who served eight years as an immigration judge in Pennsylvania, said the appointment backlog relevant to the case.

“That means that there are tens of thousands of people with NTRs who were released on ‘Alternatives to Detention’ who have not been scheduled to show up at an ICE office for an NTA, and 700,000-plus of aliens who were paroled with ATD who are in the same situation,” said Arthur, who is now a fellow at the Center for Immigration Studies.

“I can assume that the New York City office only has so many ‘call-in’ slots for NTAs for aliens released with NTRs and on parole, and that it has effectively filled those slots for the next decade,” Arthur said.

When migrants are released at the border, they’re supposed to check in with an ICE field office within 60 days to begin the process of having their claims reviewed, but the documents reviewed by The Post showed that just 43.6% have done so within 60 days, with 14% checking in later than 60 days.



Jhony Amagua was issued an appointment date for 2031.

Matthew McDermott

Another 42.3% of released migrants — or 33,992 people — had not checked in, with most of them blowing past the 60-day deadline to book their next appointment. ICE had yet to reach their 60-day deadline.

A frequently asked questions section on ICE's website says the more than 665,000 released with Alternatives to Detention as of Feb. 13 won't have to worry about appointment backlogs because their status won't be impacted by delays.

"If you were released on Parole and Conditions to Detention (ATD), there is a parole timeframe on your paperwork," the ICE website says. "To meet the requirements of your release, book the next available check-in appointment — even if it [is] outside of the initial parole timeframe."

A Government Accountability Office **report** in September detailed issues that impede efficient issuing of court dates, including the fact that authorities lack an address for a majority of released migrants, ruling out mailed court summonses.



63% of asylum claims were turned down in 2021.

Getty Images



Once migrants actually get before a judge, most asylum claims are denied — with 63% of claims turned down in fiscal 2021 and 71% of them failing in 2020.

The ICE office backlog accompanies the massive backlog for New York’s immigration court, which has roughly 194,000 pending cases statewide. There are more than 2 million pending cases nationwide.

New York’s immigration courts are among the most delayed in the country, with the average case pending for 840 days as of January — or nearly 2½ years, according to Syracuse University data.



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People awaiting asylum rulings can get US work permits, though they must wait 150 days to apply, noted O’Brien, who now works as director of investigations at the Immigration Reform Law Institute. Work permits can be issued after 30 additional days, but there often are delays.

New York City has been swamped by shipments of migrants from other jurisdictions — most notably from Texas, where GOP Gov. Greg Abbott dispatched 4,900 migrants from Aug. 5 through Dec. 29 in protest of Biden administration policies and a city policy against cooperating with immigration authorities.

Homan, the former ICE director, said the delays come with a human cost for migrants — many of whom will start families and buy property as they await their day in court.

“They’ll have a child or two. Since you’re born here, they’re US citizens. They may buy a house, they may start a small business, then when they finally get a hearing from a judge,

they say they're not qualified and you are ordered deported," Homan said. "Then everybody's freaking out about not seeing their family from the US citizen children."



Congressional Republicans have vented about the Biden administration's decision to release migrants at the border without court dates, arguing that doing so is illegal and allows for many migrants to fall through the cracks.



Undocumented immigrants wait in an Immigration and Customs Enforcement processing center after they were arrested on April 11, 2018.

Getty Images

"While current statutory and regulatory guidance requires migrants to be issued an NTA and placed into removal proceedings immediately upon release from CBP custody, the notice to report process could allow migrants to abscond from DHS before they are issued an NTA and placed into removal proceedings," a letter sent by Sens. James Lankford (R-Okla.) and John Cornyn (R-Texas) noted in 2021.

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ICE said in a statement that it was “working to address current processing delays at some field offices.”

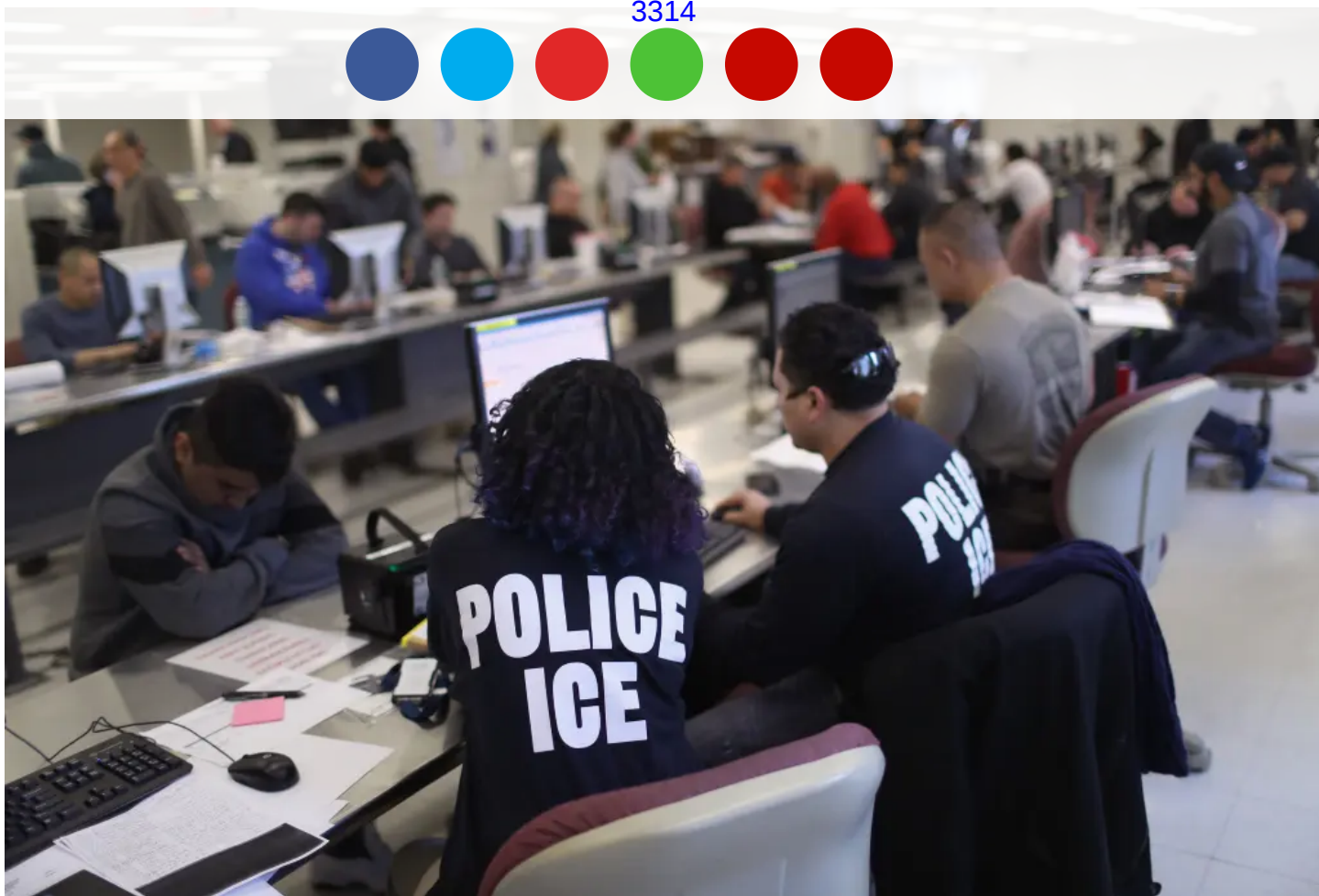
The New York City ICE Enforcement and Removal Operations office “has capacity to see approximately 400-600 noncitizens a day on average, depending on the complexity of each case,” the agency said, though that figure can include non-parole/notice to report cases.

“ERO NYC makes every attempt to identify and provide expedited attention to noncitizens who are elderly, pregnant, have medical conditions, and those with young children,” ICE said.

When The Post visited the ICE processing office at 26 Federal Plaza on Friday, a female worker said that the number of migrants seen is limited to 500 each day.

“Five hundred is the cutoff,” she said. “There’s way more than that. We don’t get a break here. It’s nonstop. They’re camping out [at] maybe 3, 4 o’clock in the morning because they know that once it gets to 500, that’s it.”

A security guard in the office added that lines of migrants for the office “start at Lafayette and Worth [streets] and the line has gone all the way down to the Brooklyn Bridge.”



US Immigration and Customs Enforcement officers process detained undocumented immigrants on April 11, 2018.
Getty Images

“It started in the summer with people coming and coming,” he added. “Back then, they used to come and go to the window and that’s it. Now, it’s just first come, first serve. Your best shot is to come in the early mornings.”

An ICE official insisted to The Post that the switch from issuing NTRs to enrolling migrants in the ATD programs “demonstrates a rigorous enforcement process that is effective and includes accountability measures to require noncitizens to report to ICE for issuance of an NTA and continue through the formal immigration process.”



What do you think? Post a comment.

The scale of the migrant crisis reportedly has prompted the Biden administration to consider restoring Trump-era policies to deter illegal border crossings.

The New York Times reported this month that officials are considering detaining migrant families after the Title 42 deadline for migrant appointments through late 2022. Reuters reported last month that the Biden administration may require migrants passing through Mexico to first seek asylum there and to book an appointment before coming to the border — making moves toward restoring the Trump-era “Remain in Mexico” policy that Biden ended.

Additional reporting by Valentina Jaramillo

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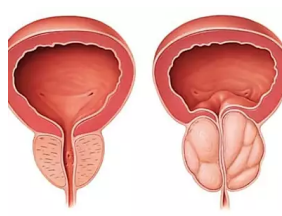
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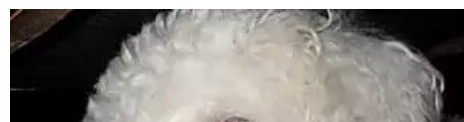
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Patriot1783USA



13 March, 2023

I'm so angry and frustrated at what has happened, I don't even know where to start. So much for being a citizen of this country. If the border can't be enforced, how can they possibly enforce any other law? Apparently the lesson of the fall of Rome means nothing. I get that they're trying to change...**See more**

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GLo



13 March, 2023

Exactly, how are they able to buy homes and start a small business without any “legal paperwork “ meanwhile US citizens are struggling to put food on the table. A friend of mine told me that he knew of a landscaping business whose illegal workers wouldn’t take less than \$15 and hour! Meanwhile that...**See more**

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Buck Truth



13 March, 2023

It’s not “What happened” it’s what the radical Biden admin did! He basically said his admin was going to do this day 1. He intentionally broke the system when he reversed Trump’s effective policies and they are treating migrants (including drug runners and MS 13 members) better than American homele...

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TNTCat



13 March, 2023

The government is here to protect me. They are failing. We need to form a wave to QUIT PAYING TAXES. It seems daunting, but I’m not getting what I’m paying for! I’m paying for non-citizens’ comfort and security... not my own family’s security!!

Reply · 👍 49 · Share



Forward Ob

13 March, 2023



I've said that before. 45,000 federal workers have not paid their taxes. More than 50% refuse to report to their offices! Non essential government worker is an oxymoron.

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Terriob



13 March, 2023

If you voted for democrats and Biden, you lost your right to complain or comment. That border should have been sealed up tight and all the tunnels sealed. Nobody gets in unless they went through the proper legal immigration process. Hold neighboring countries accountable for their allowing hoards o...**See more**

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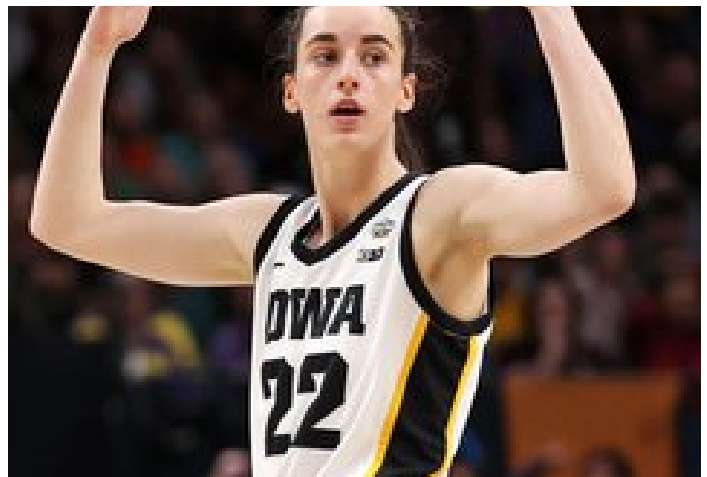
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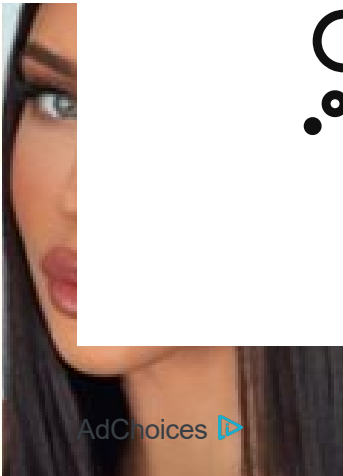
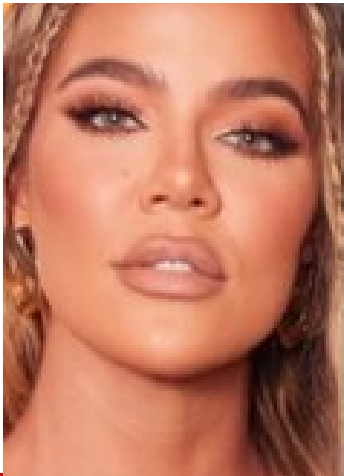
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